IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5447 OF 2004

Bhola Somnath Ahiwale ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr. M.S. Mohite, for the Applicant.

Mr. R.Y. Mirza, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

31st January 2005

P.C.:

1. Heard Counsel for the parties. Learned A.P.P. fairly accepts on instructions that the role of the present Applicant and that of co-accused Ajit Shankar Ahiwale and Shyam Subhash Ahiwale, who are already released on bail by this Court, is similar. In other words, the Applicant is entitled for bail on parity. Accordingly, the Applicant is granted bail on the following terms.

(A) The Applicant is released on bail in connection with CR.No.4/2004 registered with Phaltan Police Station, District Satara, on executing personal bond in the sum of Rs.25,000/- (Rupees Twenty-five thousand only) with two local sureties in the like amount.

(B) The Applicant shall not enter the jurisdiction of Phaltan Police Station, District Satara, during the pendency of the trial. This additional condition is imposed insofar as the present Applicant is concerned, having regard to the two N.Cs. lodged by the brother of the deceased that the relatives of the Applicant are trying to desist him from appearing as witness.

(C) The Applicant shall inform his place of residence to the investigating officer as well as the trial Court within one week from the date of release. In addition, the Applicant shall report to

the nearest police station once in fortnight during the pendency of the trial, on Saturday betwen 10 a.m. to 1 p.m.

(D) The Applicant shall extend necessary co-operation to the trial Court for early disposal of the case. If the trial Court is of the opinion that the Applicant is responsible for delay in disposal of the case, that fact be recorded in the roznama, which can be a ground for cancellation of bail.

2. Application disposed of on the above terms.

(A.M.KHANWILKAR,J.)